

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 19, 2004

Division: BOCC

Bulk Item: Yes ☐ No ☒

Department: DISTRICT 5

AGENDA ITEM WORDING: Approval to direct staff to provide a 10' wide strip of additional pavement on Cuda Lane in Key Largo and provide a turn around at the end of the street.

ITEM BACKGROUND: Cuda Lane is a 10' wide dead end road with no shoulder. Monroe County has gained title to 10' of property on the south side of the road from Key Largo Ocean Resort. Paving this 10' strip and providing a turn around will provide access for fire, police, postal and other required services.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: _____

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☐ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty _____ OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:

Murray E. Nelson
MAYOR MURRAY E. NELSON

DOCUMENTATION: Included ☒ To Follow _____ Not Required _____

DISPOSITION: _____

AGENDA ITEM # MI

Mayor Pro Tem Murray Nelson
Board of Commissioners
Monroe County

January 31, 2004

Dear Mayor Nelson and County Commissioners,

This is to follow up on our previous conversations requesting your assistance in securing the widening of Cuda Lane to the same standard street width provided by the County to other tax paying citizens.

As you recall, on January 16, 2002, the Board of County Commissioners voted 5 to 0 for a resolution "providing for the acquisition of certain real property in Monroe County for the enhancement of emergency vehicle access to developed lots abutting Cuda Lane...". In that resolution, the Board "determined that the acquisition of a ten foot wide strip of real estate abutting, and southerly of, Cuda Lane, is necessary for the public purpose of providing better emergency vehicle access to the developed lots along said road...". According to the resolution, the legal description of the real estate to be taken by eminent domain includes a 20' by 30' turn-around at the end of the street.

This resolution was adopted in recognition of the health and safety risks to which residents as well as emergency response personnel are exposed due to the narrowness of Cuda Lane and the huge liability to the County should any person be denied timely and adequate fire or medical help.

In his letter of October 11, 2001, Fire Marshall Joe London listed the following concerns:

1. Unsafe access to US1 from Cuda Lane.
2. Fire rescue and ambulance service is compromised preventing an adequate level of service to the residences on Cuda Lane.
3. Two vehicles cannot pass each other on Cuda Lane.

Additionally, mail service has been denied on numerous occasions due to the narrowness of the street and the presence of normal deliveries and services vehicles.

Thank you for your attention to this critical issue.

The Residents of Cuda Lane

Faxed signatures below

Douglas E. Price
Alan V. Trujillo
Masanga Lopez
Odalya DeBrazo

Phil Webb 615 Cuda Ln.

Shirley
Chris
Andrew

Victor Choa 621 Cuda Ln.

MAJ

Robert
615 Cuda Ln.

Victor Choa
621 Cuda Ln.

Frederick-Debbie

From: Hanson-Donna
Sent: Thursday, May 13, 2004 11:49 AM
To: Frederick-Debbie; Monsalvatge-Lisa
Cc: Medallion-Joe; Reisinger-Niko
Subject: ADDITION TO ITEM - M.1. - CUDA LANE

Debbie/Lisa, We just got this background information from Niko Reisinger, the County Biologist. Mayor Nelson would like to have this email added to his agenda item. Please make copies and attach to M.1. Thank you.

Donna Hanson

Executive Assistant to Mayor Nelson

PH (305) 852-7175

FAX (305) 852-7162

Email: boccdis5@monroecounty-fl.gov

From: Reisinger-Niko
Sent: Wednesday, May 12, 2004 6:55 PM
To: Nelson-Murray; Medallion-Joe
Cc: Conaway-Marlene; Gouldy-Ralph; McGarry-Tim; Dacquisto-David
Subject: Rae's Cuda Canal Pave another 10 feet

Joe Medallion (Monroe County roads and bridges) has contacted me about a proposal to pave the additional 10 feet purchased from Key Largo Ocean Resorts adjacent to (roughly south of) Cuda Lane in Rae's Cuda Canal Subdivision in Key Largo. (Approx MM 95, oceanside.) This proposal is to allow a full 20 foot access for Fire Department. The majority of the owners here have fenced their front yards at the property line. The road was platted at only 10 feet wide, possibly assuming that the adjacent tract to the south would also be platted and contribute another 10 feet to the roadway.

There are several problems with the proposal from an environmental standpoint:

1. The first 250-300 feet from US1 are tropical hardwood hammock. We are now talking moratorium on hammock development.
2. the next 400 feet are saltmarsh and buttonwood and/or scrub mangroves, both undisturbed wetlands. County Code does not allow filling in undisturbed wetlands.
3. the next 150 feet is fringing mangroves, another un-fillable wetlands.
4. The remaining 3 houses in the far eastern/ocean-ward section of this road are built on filled lands, opposite them across Cuda Lane is either unfilled submerged land in the Atlantic Ocean, or unfilled mangroves.

In the event that the roadway is to be filled and/or paved, the areas of wetlands are under jurisdiction of the State of Florida Dept. of Environmental Protection and US Army Corps of Engineers, and permits from both these agencies would be required for the work. Permit application is made on a "Joint Application" form, obtained from the DEP in the Marathon office, (305) 289-2310. The process for the average homeowner to obtain a simple dock on a canal can take a year currently, due to ACOE backlog of permits for a recent legal challenge on behalf of the Manatees. I do not know if expedited permitting is provided for municipalities----

Niko